

The Honorable Franklin D. Burgess

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JAMES W. FOWLER CO., an Oregon
corporation,

Plaintiff,

v.

ACE AMERICAN INSURANCE COMPANY,
a Pennsylvania corporation,

Defendant.

No. CV 04-5400 FDB

**STIPULATION AND ORDER
FOR DISMISSAL**

**NOTE ON MOTION
CALENDAR: September 14,
2005**

I. STIPULATION

The parties to the above matter, by their attorneys of record, stipulate that James W. Fowler Co.'s actions against ACE American Insurance Company shall be dismissed with prejudice and without an award of costs to either party. The motions currently pending before the court are moot.

1 DATED this 14th day of September 2005.

2
3 STAFFORD FREY COOPER

4 By /s/ Via ECF

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Based on the above stipulation of the parties, **It Is Ordered:**

DONE THIS 15th day of September 2005.


FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE

STAFFORD FREY COOPER

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CERTIFICATE OF SERVICE

I certify that on the date noted below I electronically filed this document entitled ***Stipulation and Order for Dismissal*** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following persons:

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DATED this 14th day of September, 2005, at Seattle, Washington.

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